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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/516,393

12/02/2004

Masahiko Maekawa

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12/19/2007

SQUIRE, SANDERS & DEMPSEY L.L.P.

14TH FLOOR

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TYSONS CORNER, VA 22182

EXAMINER

ROBINSON, KITO R

ART UNIT

PAPER NUMBER

4143

MAIL DATE

DELIVERY MODE

12/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/516,393	Applicant(s) MAEKAWA ET AL.	
	Examiner Kito R. Robinson	Art Unit 4143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/02/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 12/02/2004.
2. Claim 2 has been canceled.
3. Claims 1, 3, 4 & 5 are currently pending and have been examined.

Specification

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and **legal phraseology** often used in patent claims, such as "**means**" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

5. The abstract of the disclosure is objected to because of legal phraseology such as "information management means," "information acquiring means", ect. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

7. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the

invention. The claim language "*a balance of a balance item and information on a correspondence for each process that a balance of which balance item reflects a balance amount of which process item,*" is unclear. For the purposes of this examination, the Examiner will interpret the claim as **means for managing information on an item and corresponding process in which the cost is reflected for that process item.**

8. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim language "*The balance management system according to claim 1, wherein the first means provides a program for giving a setting operation function of the information on the correspondence to a third terminal,*" is unclear. For the purposes of this examination, the Examiner will interpret the claim as **the balance management system according to claim 1, wherein the first means provides a program for enabling user defined settings of the information on a item and corresponding process to display on a third terminal.**
9. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim language "*The balance management system according to claim 1, further comprising second means for enabling a selection of a display pattern of information on the balance of the balance item according to the user's intention and a display of the information according to the selected pattern,*" is unclear. For the purposes of this examination, the Examiner will interpret the claim as **the balance management system according to claim 1, further comprising second means for enabling a selection of a display pattern of information on the item according to the user's intention and display the information according to the selected pattern.**

10. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim language “ *The balance management system according to claim 4, wherein the second means provides a program for giving the second terminal a selecting operation function of a display pattern of the information on the balance of the balance item and a display function of the information on the balance of the balance item according to the selected pattern through the selecting operation,*” is unclear. For the purposes of this examination, the Examiner will interpret the claim as **the balance management system according to claim 4, wherein the second means provides a program for enabling a selecting operation function of a display pattern of the information on the item and display the information on the item according to the selected pattern through the selecting operation.**

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:
- A person shall be entitled to a patent unless –
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
12. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

13. Claims 1, & 3-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Nicastro et al. US 20020073114 A1 [Nicastro '114].

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

As per claim 1,

Nicastro '114 discloses:

- *information management means for managing information on a balance of a balance item and information on a correspondence for each process that a balance of which balance item reflects a balance amount of which process item; (See at least Para 0105 & Figure 3A: Take note of the database linking the object to the specification data. Also see Para. 0099: Take note the cost management tool set).*
- *information acquiring means for acquiring information on a process item and a balance amount corresponding to the process item, from a first terminal corresponding to each process; (See at least Para 0134-0136: Take note that this function allows a user to open and display all details of a selected item).*
- *information updating means for updating the information on the balance of the balance item corresponding to the process item, on the basis of the information on the correspondence managed by the information management means and the information on the process item and the balance amount acquired by the information acquiring means; (See at least Para. 0352: FIG. 10 shows a general representation of how the data is modified during use of the system by respective tools used in the system).*

- *information providing means for providing a second terminal with the information on the balance item and the balance for one or more processes managed by the information management means; (See at least Para. 0043).*
- *first means for enabling setting of the information on the correspondence according to a user's intention. (See at least Para. 0135-0136: Take note user can display all item specifications for a selected item type).*

14. As per claim 3,

Nicastro '114 discloses:

- *The balance management system according to claim 1, wherein the first means provides a program for giving a setting operation function of the information on the correspondence to a third terminal. (See at least Para. 0135-0136 also Para. 0322).*

15. As per claim 4,

Nicastro '114 discloses:

- *The balance management system according to claim 1, further comprising second means for enabling a selection of a display pattern of information on the balance of the balance item according to the user's intention and a display of the information according to the selected pattern. (See at least Para. 0135-0141 also Para 0322)*

16. As per claim 5,

Nicastro '114 discloses:

- *The balance management system according to claim 4, wherein the second means provides a program for giving the second terminal a selecting operation function of a display pattern of the information on the balance of the balance item and a display*

function of the information on the balance of the balance item according to the selected pattern through the selecting operation. (See at least Para. 0135-0141 also Para. 0322)

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Rembert (US 5,101,352) discloses a computer system for controlling the production, including pricing, costing, scheduling etc., of manufactured items having means for receiving and storing production information and means for interrogating the stored production information and using the result of such interrogation to create a parameter table containing selected production information and utilizing calculations based on the information from the parameter table to control the production of the manufactured items (Para. 16).

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Kito Robinson** whose telephone number is **571.270.3921**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Reagan** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark**

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Alexandria, VA 22314.

05 November 2007
/Kito R Robinson/Examiner, Art Unit 4143
/JAMES A REAGAN/Supervisory Patent Examiner, Art Unit 4143